**REMARKS**

INTRODUCTION:

In accordance with the foregoing, no claims have been canceled, no claims have been amended, and claims 11-20 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-20 are pending and under consideration. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. §102:

At page 2 of the Office Action, claims 1-10 were rejected under 35 U.S.C. §102(b) in view of U.S. Patent No. 6,427,098 issued to Alverson et al. This rejection is traversed and reconsideration is requested.

Regarding claim 1, the Examiner cites Alverson for teaching the storage means as recited. The Applicants respectfully disagree. Claim 1 recites:

> storage means for storing the control programs created in the NC
> program format in a way that distinguishes between a program to
> be executed periodically and a program to be executed according
> to an execution command.

Alverson does not mention NC format programs that are both executed periodically and executed according to an execution command. Nor does Alverson mention storing NC format programs such that distinction is possible between periodically executed programs and command-executed programs. Rather, the section cited by the Examiner for teaching this feature discusses path generation routines including interpolation control routines used to periodically generate position commands. As noted in the summary of the present application, "the controller according to the present invention controls a machine such as a machine tool or industrial machine according to control programs which are created in NC program format." *Page 2, Lines 21-23.*

The Applicants respectfully submit that since Alverson fails to teach or suggest all of the features of claim 1, claim 1 is allowable over Alverson. Thus, withdrawal of the 102(b) rejection is respectfully requested.

Regarding claims 2-10, these claims are dependent, directly or indirectly, on independent claim 1 and are therefore believed to be allowable for at least the reasons noted above.

NEW CLAIMS 11-20:

New claim 11 is directed to a controller to control a machine according to control programs which are created in an NC program format. Claim 11 recites:

> a storage to store the control programs created in the NC program format in a way that distinguishes between a program to be executed periodically and a program to be executed according to an execution command.

Therefore, it is submitted that claim 11 patentably distinguishes over the prior art.

New claims 12-20 depend, directly or indirectly, from independent claim 11 and include all of the features of claim 11 plus additional features that are not believed to be taught or suggested by the prior art. Therefore, it is submitted that these claims also patentably distinguish over the prior art.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.
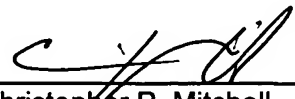
Respectfully submitted,

STAAS & HALSEY LLP

Date: _July 6, 2005_          By: _____

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